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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE and to a collection of information unless it contains a valid OMB control number. Under the Paperwork Reduction Act of 1995, no persons are required to

| PATENT APPLICATION (37 CFR 1.63) X Declaration Submitted with Initial With Initial Filing (Surcharge (37 CFR 1.16 (e)) required) As the below named inventor, I hereby declare that: My residence, mailing address, and citizenship are as stated below next to my name. | |
|---|-----|
| (37 CFR 1.63) Application Number X Declaration Declaration Submitted Submitted Art Unit N/A | |
| Application Number X Declaration Submitted Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required) Examiner Name Not Yet Assigned | |
| Submitted Submitted after Initial with Initial With Initial Filing (37 CFR 1.16 (e)) required) As the below named inventor, I hereby declare that: | |
| with Initial OR Filing (surcharge Filing (surcharge (37 CFR 1.16 (e)) required) Art Unit N/A Examiner Name Not Yet Assigned As the below named inventor, I hereby declare that: | |
| required) Examiner Name Not Yet Assigned As the below named inventor, I hereby declare that: | |
| | |
| My residence, mailing address, and citizenship are as stated below next to my name. | |
| | |
| I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: | ٠ |
| COMPOUNDS AND COMPOSITIONS FOR DELIVERING ACTIVE AGENTS | |
| COMPOUNDS AND COMPOSITIONS FOR DELIVERING ACTIVE AGENTS | |
| (Title of the Invention) |] |
| the specification of which | |
| is attached hereto OR | |
| x was filed on 12/18/2000 as United States Application Number or PCT International Application No. | |
| PCT/US00/34329 and was amended on (if applicable | (a) |
| I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as | C). |
| amended by any amendment specifically referred to above. | |
| I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application a | nd |
| the national or PCT international filing date of the continuation-in-part application. | |
| I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign | |
| application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing data before that of the application on which priority is claimed. | |
| Prior Foreign Conv Attached | , - |
| Application Foreign Filing Date Priority Number(s) Country (MM/DD/YYYY) Not Claimed YES NO | |
| 60/171,213 US 12/16/1999 X | |
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| Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto: | |

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| DECLARATION — Utility or Design Patent Application | | | | | | | | |
|---|---|------------------------------|---------|----------|------------------------------------|---------------------|--------------|-------------------------------|
| Direct all corre | | omer Number ar Code Label | | | | | OR X | Correspondence address below |
| | DARBY & DARBY P.C Jay P. Lessler | | | | | | | |
| Address | P.O. Box 5257 | | | | | | | |
| City | New York | | | State | e | NY | ZII | 10150-5257 |
| Country | US | Telephone | (212) | 527- | 770 | 0 | Fa | x (212) 753-6237 |
| Country US Telephone (212) 527-7700 Fax (212) 753-6237 As a named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith: Gordon D. Coplein #19,165, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Marc S. Gross #19,614, Joseph B. Lerch #26,936, Melvin C. Gamer #26,272, Ethan Horwitz #27,646, Adda C. Gogoris #29,714, Bert J. Lewen #19,407, Henry Sternberg #22,408, Peter C. Schechter #31,662, Robert Schaffer #31,194, Robert C. Sullivan, Jr. #30,499, Ira J. Levy #35,587, Joseph R. Robinson #33,448, Scott G. Lindvall #40,325, Paul F. Fehlner, Ph.D. #35,135, David Leason #36,195, Jay P. Lessler #41,151, all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022 | | | | | | | | |
| SEND COR | RESPONDENCE TO: | | DIR | ECT T | ELE | PHONE CA | ALLS TO: | |
| 80 | ARBY & DARBY P.C. 05 Third Avenue ew York, NY 10022 | | • | P. Les | | | | • |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. | | | | | | | | |
| NAME OF S | SOLE OR FIRST INVENTOR | 1: | | | | A petition h | nas been fil | ed for this unsigned inventor |
| Given Name (first and mid | ddle (if any)) | David | | | Family Name Gschneidner or Surname | | | Gschneidner |
| Inventor's Signature | | | | | | | Date | |
| Residence: (| Stamford City | CT State | Country | у | | | Citizensi | US |
| Mailing Address: | 44 Cerretta Street Apt. 6 | | | | | | | |
| City | Stamford | CT State | ZIP | 069 | 907 | | Country | |
| NAME OF | SECOND INVENTOR: | | | | | A petition h | nas been fil | ed for this unsigned inventor |
| Given Name (first and mid | ddle [if any]) | Andrea | | | | illy Name urname | | Leone-Bay |
| Inventor's Signature | | | | | | | Date | |
| Residence: 0 | Ridgefield | CT State | Countr | у | | | Citizens | US |
| Mailing Address: | 20 Woodland Way | | | | | | | |
| City | Ridgefield | CT State | ZIP | 068 | 877 | | Country | |
| X Addi | tional inventors are being named | I on the 1 | supplen | nental A | Additio | onal Inventor | r(s) sheet(s |) PTO/SB/02A attached hereto. |

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Please type a plus sign (+) inside this box +

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. ADDITIONAL INVENTOR(S) **DECLARATION** Supplemental Sheet Page 1 of 1 Name of Additional Joint Inventor, if any: A petition has been filed for this unsigned inventor Given Name **Family Name** Eric Wang (first and middle [if any]) or Surname Inventor's Signature Ellicott City MD US Residence: City State Country Citizenship Mailing 9930 Timberknoll Lane Address: Ellicott City MD 21042 City State ΖŧΡ Country Name of Additional Joint Inventor, if any: A petition has been filed for this unsigned inventor **Given Name** Family Name John J. Freeman (first and middle [if any]) or Surname Inventor's Signature Date New Fairfield
Residence: City CT US State Country Citizenship Mailing 6 Topstone Road Address: NewFairfield CT 06812 State ZIP gu Country Name of Additional Joint Inventor, if any: A petition has been filed for this unsigned inventor Given Name Family Name Doris C. O'Toole (first and middle [if any]) Inventor's 2001Z Signature Carmel NY US Residence: City State Country Citizenship Mailing 33 Lakeview Road Address: Carmel NY 10512 City ZIP Country Name of Additional Joint Inventor, if any: A petition has been filed for this unsigned inventor Given Name **Family Name** Lynn Shields (first and middle [if any]) or Surname Inventor's Signature Date Port Chester US NY Residence: City State Country Citizenship Mailing 85 Birch Street Address:

10573

Country

ZiP

NY

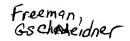
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE uired to respond to a collection of information unless it contains a valid OMB control number.

| DECLARATION | N FOR UTILITY OR | Att rney Docket Nun | nber 1 | 1946/1G527US1 | | | | | |
|-------------------------------|--|------------------------------|---------------------------------------|---------------|---------------------|-------------------|--|--|--|
| | ESIGN | First Named Inv_nto | r [| David (| David Gschneidner | | | | |
| | APPLICATION | C | OMPLE | TE IF I | KNOWN | | | | |
| (37 (| CFR 1.63) | Application Number | | | | | | | |
| X Declaration | Declaration | Filing Date | | | | | | | |
| Submitted with Initial OR | Submitted after Initial Filing (surcharge | Art Unit | N/A | | | | | | |
| Filing | (37 CFR 1.16 (e)) required) | Examiner Name | Not Ye | et Assi | gned | | | | |
| As the below named | I inventor, I hereby declare | that: | | | | | | | |
| My residence, mailing ad | ddress, and citizenship are as sta | ted below next to my nan | ne. | | | | | | |
| I believe I am the original a | and first inventor of the subject matte | r which is claimed and for w | hich a pa | tent is so | ought on the inv | ention entitled: | | | |
| COMPOUNDS | ND COMBOOITIONS FOR | DELIVEDING ACT | -IV./E- A.C | SENT | , | | | | |
| COMPOUNDS A | AND COMPOSITIONS FOR | R DELIVERING ACT | IVE AU | 3EN13 | • | | | | |
| | · (T | itle of the Invention) | | | | | | | |
| the specification of w | hich | | | | | | | | |
| is attached here | eto | | | | | | | | |
| X was filed on | 12/18/2000 as Unit | ed States Application Nur | mber or P | PCT Inte | rnational Appl | ication No. | | | |
| PCT/US00/ | | | | | | (if applicable). | | | |
| | e reviewed and understand the co | ontents of the above ident | tified sne | cificatio | n including th | ` '' | | | |
| | ment specifically referred to above | | ancu spc | cincano | ii, iiiolaaliig tii | c ciaims, as | | | |
| | to disclose information which is r ications, material information whi | | | | | | | | |
| | rnational filing date of the continu | | ween the | ming us | ate of the phot | application and | | | |
| | iority benefits under 35 U.S.C. 11 ler's rights certificate(s), or 365 (a | | | | | | | | |
| country other than the U | nited States of America, listed be | low and have also identif | ied belov | v, by ch | ecking the box | , any foreign | | | |
| | ventor's or plant breeder's rights ation on which priority is claimed. | certificate(s), or of any P(| CT intem | ational a | application hav | ing a filing date | | | |
| Prior Foreign Application | | Foreign Filing Date | Prior | rity | Certified C | opy Attached? | | | |
| Number(s) | Country | (MM/DD/YYYY) | Not Cla | | YES | NO | | | |
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| Additional foreig | n application numbers are listed | on a supplemental priority | y data sh | eet PTC | D/SB/02B attac | ched hereto: | | | |
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| DECLARATION — Utility or Design Patent Application | | | | | | | | | | |
|--|---|-----------|--------------------------|----------|----------------------|-----------------------|---------------|------------------------------|--|--|
| Direct all corr | espondence to: | | ner Number Code Label | <u> </u> | | | OR X | Correspondence address below | | |
| | DARBY & DA Jay P. Lessle | | | | | | - | | | |
| Address | P.O. Box 525 | 7 | | | | | | | | |
| City | New York | | | | State | NY | ZIP | 10150-5257 | | |
| Country | US | | Telephone | (212) | 527-77 | 700 | Fax | (212) 753-6237 | | |
| As a named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith: Gordon D. Coplein #19,165, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Marc S. Gross #19,614, Joseph B. Lerch #26,936, Melvin C. Garner #26,272, Ethan Horwitz #27,646, Adda C. Gogoris #29,714, Bert J. Lewen #19,407, Henry Sternberg #22,408, Peter C. Schechter #31,662, Robert Schaffer #31,194, Robert C. Sullivan, Jr. #30,499, Ira J. Levy #35,587, Joseph R. Robinson #33,448, Scott G. Lindvall #40,325, Paul F. Fehlner, Ph.D. #35,135, David Leason #36,195, Jay P. Lessler #41,151, all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022 | | | | | | | | | | |
| SEND COR | RESPONDENCE | E TO: | | DIRE | ECT TEL | EPHONE C | ALLS TO: | | | |
| 80 | ARBY & DARBY 05 Third Avenue ew York, NY 10 | | | - | P. Lessle 527-770 | | | | | |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. | | | | | | | | | | |
| NAME OF S | SOLE OR FIRST | INVENTOR: | , | | | A petition I | nas been file | d for this unsigned inventor | | |
| Given Name (first and mic | idle [if any]) | | David | | | amily Name Surname | Gschneidner | | | |
| inventor's Signature | David. | Gsch | rend | | | | Date 6 | 114/02 | | |
| Residence: C | Stamford | | CT State | Country | | | Citizenshi | US | | |
| Malling Address: | 44 Cerretta Apt. 6 | Street | | | | | | | | |
| City | Stamford | | CT State | ZIP | 0690 | 7 | Country | | | |
| NAME OF S | SECOND INVEN | TOR: | | | | A petition t | has been file | d for this unsigned inventor | | |
| Given Name (first and mid | ddie [if any]) | | Andrea | | | amily Name Surname | | Leone-Bay | | |
| Inventor's Signature | | 5 | | | | | Date (| ,-16-02 | | |
| Residence: C | Ridgefield City | | CT State | Country | | | Citizenshi | US | | |
| Mailing Address: | 20 Woodlar | d Way | | | | | | | | |
| City | Ridgefield | | CT State | ZIP | 0687 | 7 . | Country | | | |
| | tional inventors are | | | | ental Add | itional Inventor | | PTO/SB/02A attached hereto. | | |





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| | DECLARATION | | | | | | ADDITIONAL INVENTOR(S) Supplemental Sheet Page 1 of 1 | | | |
| Name of Ad | I-listanot faint Invant | . 16 | T | | | | | | | |
| Name of Au | iditional Joint Invent | or, if any: | | | | A petition has been filed for this unsigned inventor | | | | |
| Given Name (first and mid | Idle [if any]) | | Eric | | | Family Name or Surname | Wang | | | |
| Inventor's Signature | | | | | | | Date | | | |
| | Ellicott City MD | | | | US | | | | | |
| State Country | | | | | | | Citizenship | | | |
| Malling Address: 9930 Timberknoll Lane | | | | | | | | | | |
| City | licott City | State MI | D | ZIP | 210 | 42 | Country | | | |
| Name of Ad | ditional Joint Invento | or, if any: | | | | A petition I | has been filed for this unsigned inventor | | | |
| Given Name (first and mid | dle [if Ayl]) | J. | ghn J. | | | amily Name or Surname | Freeman | | | |
| Inventor's Signature | Am //hum | March | | | | | Date 6/17/02 | | | |
| NEW F Residence: 9 | J~J9/ | State | Г | Country | | | US Citizenship | | | |
| Mailing Address: 6 Topstone Road | | | | | | | | | | |
| City On | airfield | State C | Г | ZIP | 068 | 12 | Country | | | |
| Name of Ade | ditional Joint Invento | or, if any: | | | [| A petition has been filed for this unsigned inventor | | | | |
| Given Name (first and mide | dle [if any]) | Do | oris C. | | | amily Name or Surname | O'Toole | | | |
| Inventor's Signature | | | | | _ | | Date | | | |
| | Carmel ity | State N1 | 1 | | | | US | | | |
| | | State | | Country | | | Citizenship | | | |
| Mailing Address: | 33 Lakeview Roa | ad | | | | ار | | | | |
| City | Carmel | N\ State | <u> </u> | ZIP | 1051 | 12 | Country | | | |
| Name of Add | ditional Joint Invento | or, if any: | | | | A petition h | as been filed for this unsigned inventor | | | |
| Given Name (first and mide | dle [if any]) | L | ynn | | | amily Name r Surname | Shields | | | |
| Inventor's Signature | | | | | | | Date | | | |
| Por Residence: Ci | t Chester ty | NY State | ′ | Country | | | US Citizenship | | | |
| Mailing Address: | 85 Birch Street | | | | | | | | | |
| Port | t Chester | N.Y | · | 710 | 1057 | 73 | <u>.</u> | | | |



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| _ | ESIGN | First Nam d Inventor | r [| David | Gschneidner | | | |
| | APPLICATION | C | OMPLE | TE IF | KNOWN | | | |
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| X Declaration Submitted | Declaration Submitted after Initial | Filing Date | | | | | | |
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| Filing | (37 CFR 1.16 (e)) required) | Examiner Name | Not Ye | et Ass | igned | | | |
| As the below named | I inventor, I hereby declare | that: | | | | | | |
| | ddress, and citizenship are as sta | • | | | | | | |
| I believe I am the original a | and first inventor of the subject matte | er which is claimed and for w | vhich a pa | tent is s | sought on the invention entitled: | | | |
| COMPOUNDS | AND COMPOSITIONS FOR | | -1\/E- A/ | ~ にんして | | | | |
| COMPOUNDS A | MAD COMPOSITIONS FOR | T DELIVERING ACT | IVE A | 3EIN I | 5 | | | |
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| OR C | 40/40/0000 | | | | | | | |
| x was filed on | 12/18/2000 as Unit | ed States Application Nun | nber or F | CLIN | ernational Application No. | | | |
| PCT/US00/ | and was amended on | | | | (if applicable). | | | |
| I hereby state that I have amended by any amend | e reviewed and understand the co Iment specifically referred to abou | ontents of the above ident ve. | tified spe | cificatio | on, including the claims, as | | | |
| continuation-in-part appl | to disclose information which is r ications, material information whi rnational filing date of the continu | ch became available betv | | | | | | |
| inventor's or plant breed country other than the U | iority benefits under 35 U.S.C. 1 er's rights certificate(s), or 365 (a nited States of America, listed be | of any PCT international low and have also identified | ıl applica ied belov | tion wh | ich designated at least one necking the box, any foreign | | | |
| | ventor's or plant breeder's rights ation on which priority is claimed. | | STintem | ational | application having a filing date | | | |
| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Prior Not Cla | | Certified Copy Attached? | | | |
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| Additional foreig | n application numbers are listed | on a supplemental priority | / data sh | eet PT | O/SB/02B attached hereto: | | | |
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| | DECLARATION — Utility or Design Patent Application | | | | | | | | | | |
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| Direct all con | respondence to: | | ner Number Code Label | | | | | OR | х | Corresponder | nce address below |
| Name | DARBY & DAR Jay P. Lessler | | | | | | | | | | |
| Address | P.O. Box 5257 | , | | | | | | | | | |
| City | New York | | | · · · · · · | Stat | te | NY | | ZIP | 10150-5 | 5257 |
| Country | US | | Telephone | (212) | 527- | -770 | 00 | | Fax | (212) 7 | 53-6237 |
| As a named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith: Gordon D. Coplein #19,165, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Marc S. Gross #19,614, Joseph B. Lerch #26,936, Melvin C. Garner #26,272, Ethan Horwitz #27,646, Adda C. Gogoris #29,714, Bert J. Lewen #19,407, Henry Sternberg #22,408, Peter C. Schechter #31,662, Robert Schaffer #31,194, Robert C. Sullivan, Jr. #30,499, Ira J. Levy #35,587, Joseph R. Robinson #33,448, Scott G. Lindvall #40,325, Paul F. Fehlner, Ph.D. #35,135, David Leason #36,195, Jay P. Lessler #41,151, all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022 | | | | | | | | | | | |
| SEND COF | RRESPONDENCE | TO: | | DIF | RECT T | ELE | PHONE C | ALLS | TO: | | |
| 8 | DARBY & DARBY F 805 Third Avenue New York, NY 100 | | | | P. Les 2-527-7 | | | | | | |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. | | | | | | | | | | | |
| NAME OF | SOLE OR FIRST I | NVENTOR: | | | | | A petition I | has bee | en filed | for this unsign | ed inventor |
| Given Name (first and mi | iddle [if any]) | | David | | | | nily Name Surname | Gschneidner | | | |
| Inventor's Signature | | · | | | | | | Date | | | |
| Residence: | Stamford city | ! | CT State | Countr | у | | | Citiz | enship | US | |
| Mailing Address: | 44 Cerretta S Apt. 6 | Street | | | | | | | | | |
| City | Stamford | ę | CT State | ZIP | 069 | 907 | - | Cour | ntry | | |
| NAME OF | SECOND INVENT | OR: | | | <u> </u> | | A petition I | has bee | en filed | for this unsign | ed inventor |
| Given Name (first and mi | ddle [if any]) | | Andrea | | | | nily Name Surname | | | Leone-E | Зау |
| Inventor's Signature | | | | | | | | Date | | | |
| Residence: | Ridgefield city | | CT State | Countr | у | | | Citiz | enship | US | |
| Mailing Address: | 20 Woodland | i Way | | | | | | | | | |
| City | Ridgefield | | CT State | ZIP | 06 | 877 | | Cou | ntry | | |
| X Add | litional inventors are b | eing named or | n the 1 | supplen | nental A | Additio | onal Invento | r(s) she | et(s) P | TO/SB/02A att | ached hereto. |



| DECLARATION | | | | | | ADDITIONAL INVENTOR(S) Supplemental Sheet Page 1 of 1 | | | | | |
|----------------------------------|-------------------------------|-------------------------|----------------|----------|--|---|--------------------|---|--|--|--|
| Name of Ad | ditional Joint Invento | or, if any: | | | A petition has been filed for this unsigned inventor | | | | | | |
| Given Name (first and mid | dle [if any]) | | Eric | | | | ily Name urname | Wang | | | |
| Inventor's Signature | Inventor's | | | | | | Date | | | | |
| | Ellicott City MD | | itev | | | US Citlzenshlp | | | | | |
| Malling Address: | Malling QQQQ Timborkpoll Lano | | | | | | | | | | |
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| Name of Ad | ditional Joint Invento | r, if any: | | | | | A petition ł | has been filed for this unsigned inventor | | | |
| Given Name (first and mid | dle [if any]) | Jo | hn J. | | | | ily Name urname | Freeman | | | |
| Inventor's Signature | | | | | | | | Date | | | |
| الالبر Residence: C | airfield | CT State Country | | | | US Citizenship | | | | | |
| Mailing Address: 6 Topstone Road | | | | | | | | | | | |
| New F City but | airfield | C ⁻ State | Γ | ZIP | 06 | 812 | | Country | | | |
| Name of Ad | ditional Joint Invento | or, if any: | | | | | A petition I | n has been filed for this unsigned inventor | | | |
| Given Name (first and mid | ldle [if any]) | . Do | oris C. | | | Family Name O'Toole or Surname | | | | | |
| Inventor's Signature | | | | • | | | | Date | | | |
| Residence: C | Carmel City | N' State | Y | Cour | ntry | | | US Citizenship | | | |
| Mailing Address: | 33 Lakeview Ro | ad | | | | | | | | | |
| City | Carmel | N' State | Υ | ZIP | 10 | 512 | | Country | | | |
| Name of Ad | Iditional Joint Invento | or, if any: | | <u> </u> | | | A petition I | has been filed for this unsigned inventor | | | |
| Given Name (first and mid | Idle [if any]) | ι | _ynn | | | | ily Name urname | Shields | | | |
| Inventor's Signature | Lynn | - 6 | S | hi | ele | L | ク | Date 6/17/02 | | | |
| Po Residence: C | rt Chester city | N' State | Ý | Cour | ntry | | | UŚ Citizenship | | | |
| Mailing Address: | 85 Birch Street | | | | | | | | | | |
| Po | rt Chester | N` State | Y | ZIP | 10 | 573 | | Country | | | |

| DESIGN PATENT APPLICATION (37 CFR 1 63) | | Attorney Docket Number | | 1946/1G527US1 | |
|--|---|--|------------------|---|--|
| | | First Named Invent r David Gschneidner | | | |
| | | COMPLETE IF KNOWN | | | |
| | | Application Number | | | |
| X Declaration Submitted | Declaration Submitted after Initial | Filing Date | | | |
| with Initial OR | Filing (surcharge | Art Unit | N/A | | |
| Filing | (37 CFR 1.16 (e)) required) | Examiner Name | Not Ye | t Assigned | |
| | l inventor, I hereby declare | | | | |
| | ddress, and citizenship are as sta and first inventor of the subject matte | • | | tent is sought on the invention entitled: | |
| | AND COMPOSITIONS FO | | | | |
| | | | | | |
| the specification of w | • | itle of the Invention) | | | |
| is attached here | eto | | | | |
| OR | | | | | |
| x was filed on | 12/18/2000 as Unit | ed States Application Nur | nber or P | CT International Application No. | |
| PCT/US00/ | PCT/US00/34329 and was amended on (if applicable). | | | | |
| | e reviewed and understand the comment specifically referred to above | | tified spe | cification, including the claims, as | |
| I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application. | | | | | |
| I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed. | | | | | |
| Prior Foreign Application _Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Prior Not Cia | | |
| 60/171,213 | US | 12/16/1999 | | x | |
| · | | | | | |
| Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto: | | | | | |

| | | | |
|------------------------|--------|-------------|--|
| Express Mail Label No. | Dated: | | |
| | · | | |



| DECLARATION — Utility or Design Patent Application | | | | | | | |
|--|--|-------------------------------|---------|-------------------------------------|------------------------|----------------|-------------------------------------|
| Direct all corr | | tomer Number ar Code Label | | | | OR | X Correspondence address below |
| B | DARBY & DARBY P.O Jay P. Lessler | > . | | | | - - | |
| Address | P.O. Box 5257 | | | | | | |
| City | New York | | | Sta | te NY | | zip 10150-5257 |
| Country | US | Telephone | (212) | 527 | -7700 | | Fax (212) 753-6237 |
| As a named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith: Gordon D. Coplein #19,165, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Marc S. Gross #19,614, Joseph B. Lerch #26,936, Melvin C. Garner #26,272, Ethan Horwitz #27,646, Adda C. Gogoris #29,714, Bert J. Lewen #19,407, Henry Sternberg #22,408, Peter C. Schechter #31,662, Robert Schaffer #31,194, Robert C. Sullivan, Jr. #30,499, Ira J. Levy #35,587, Joseph R. Robinson #33,448, Scott G. Lindvall #40,325, Paul F. Fehlner, Ph.D. #35,135, David Leason #36,195, Jay P. Lessler #41,151, all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022 | | | | | | | |
| SEND COF | RESPONDENCE TO: | | DIF | RECT | TELEPHONE C | ALLS | то: |
| 8 | ARBY & DARBY P.C. 05 Third Avenue ew York, NY 10022 | | - | P. Le: | | | |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. | | | | | | | |
| NAME OF | SOLE OR FIRST INVENTO | R: | | | A petition I | has be | en filed for this unsigned inventor |
| Given Name (first and middle [if any]) | | David | David | | Family Name or Surname | Gschneidner | |
| Inventor's Signature | | | | | | Date | |
| Residence: | Stamford City | CT State | Countr | у | • | Citiz | US enship |
| Mailing Address: | Mailling 44 Cerretta Street | | | | | | |
| City | Stamford | CT State | ZIP | 06 | 907 | Cou | ntry |
| NAME OF SECOND INVENTOR: A petition has been filed for this unsigned inventor | | | | en filed for this unsigned inventor | | | |
| Given Name (first and middle [if any]) | | | | Family Name or Surname | Leone-Bay | | |
| Inventor's Signature Date | | | | | | | |
| Ridgefield | | CT State | Country | | US Citizenship | | |
| Mailing Address: | | | | | | | |
| City | Ridgefield | CT State | ZIP | 06 | 877 | Cou | ntry |
| X Add | X Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto. | | | | | | |

PTO/SB/02A (11-00)

| | _ | |
|---|---|--|
| ease type a plus sign (+) inside this box | + | |

Approved for use through 10/31/2002, OMB 0691-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

ADDITIONAL INVENTOR(S) DECLARATION Supplemental Sheet Page 1 of 1 Name of Additional Joint Inventor, if any: A petition has been filed for this unsigned inventor Given Name **Family Name Eric** (first and middle [if any]) or Surname Inventor's 24-02 Signature Ellicott City MD Residence: City Citizenship State Country Mailing 9930 Timberknoll Lane Address: 21042 Ellicott City MD ZIP Country City State A petition has been filed for this unsigned inventor Name of Additional Joint Inventor, if any: Given Name **Family Name** John J. Freeman (first and middle [if any]) or Surname Inventor's Signature Date New Fairfield US CT Country Citizenship Mailing 6 Topstone Road Address: Nicia Fairfield CT 06812 ZIP Country State Name of Additional Joint Inventor, if any: A petition has been filed for this unsigned inventor Given Name **Family Name** Doris C. O'Toole (first and middle [if any]) or Surname Inventor's Signature Date Carmel US NY Residence: City State Country Citizenship Mailing 33 Lakeview Road Address: Carmel NY 10512 ZIP Country Name of Additional Joint Inventor, if any: A petition has been filed for this unsigned inventor Given Name **Family Name** Shields Lynn (first and middle [if any]) or Surname Inventor's Signature Port Chester NY US Residence: City Citizenship State Country Mailing 85 Birch Street Address: Port Chester NY 10573 City ZIP Country State

United States Patent and *** Trademark Office

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JULY 02, 2003

PTAS

DARBY & DARBY P.C.
JAY P. LESSLER, ESQ.
P.O. BOX 5257
NEW YORK, NEW YORK 10150-5257

Under Secretary of Commerce For Intellectual Property and Director of the United States Patent and Trademark Office Washington, DC 20231 www.uspto.gov



UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/15/2002

REEL/FRAME: 013770/0956

NUMBER OF PAGES: 9

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

GSCHNEIDNER, DAVID

DOC DATE: 06/14/2002

ASSIGNOR:

LEONE-BAY, ANDREA

DOC DATE: 06/16/2002

ASSIGNOR:

WANG, ERIC

DOC DATE: 06/24/2002

ASSIGNOR:

FREEMAN, JR., JOHN J.

DOC DATE: 06/17/2002

ASSIGNOR:

O'TOOLE, DORIS

DOC DATE: 06/15/2002

ASSIGNOR:

SHIELDS, LYNN E.

DOC DATE: 06/17/2002

ASSIGNEE:

EMISPHERE TECHNOLOGIES, INC. 765 OLD SAW MILL RIVER ROAD. TARRYTOWN, NEW YORK 10591

013770/0956 PAGE 2

SERIAL NUMBER: 10168275

PATENT NUMBER:

FILING DATE: 07/15/2002

ISSUE DATE:

TONYA LEE, EXAMINER ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS

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|---|---|--|
| Form PTO 1595 (Rev. 6-93) | ROORT | U.S. DEPARTMENT OF COMMERCE |
| OMB No. 0651-0011 (exp. 4/94) | | 2-25-2003 Patent and Trademark Office Patent and Trademark |
| | ommissioner of Patents and A | Il documents or copy thereof. |
| Name of conveying parts. | arty(ies): | 02372009 i receiving party(ies): |
| John J. FREEMAN, Jr.; D Additional name(s) of conveying | | Name: EMISPHERE TECHNOLOGIES, INC. Internal Address: Street Address: 765 Old Saw Mill River Road |
| 3. Nature of conveyance | | City: Tarrytown State: New York Zip:10591 |
| [X] Assignment [] Security Agreement | [] Merger nt [] Change of Name | Additional name(s) & address(es) attached? [] Yes [X] No |
| [] Other_ | | |
| Execution Date: 6/14/02; 6/15/02 and 6/17/02, res | 6/16/02; 6/24/02; 6/17/02; spectively. | |
| 4. Application number(s) If this document is being | • | lication, the execution date of the application is: EXPRESS MAIL CERTIFICATE |
| A. Patent Application | No.(s) | Baratent No. (sP2 Labe N. 1 1 5 4 6 9 9 9 4 LUS I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for |
| | Additional numbers att | Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service. |
| C. Name and address of | | ached? [] Yes [X] No |
| concerning document s | | 6. আৰ্থিmber of applications and patents involved: |
| Name: <u>Darby & Darby</u> | | |
| Internal Address: Jay F | | 7. Total fee (37 CFR 3.41):\$40.00 |
| Street Address: P. O. E | <u>lox 525/</u> | [X] Enclosed |
| City: New York State: 07/23/2002 NKAYPAGH 00000026 1 | New York Zip: 10150-5257 | [] Authorized to be charged to deposit account |
| 02 FC:581 | 40.00 00 | 8. Deposit account number: 04-0100 (Attach duplicate copy of this page if paying by deposit account) |
| <u> </u> | | |
| | DO NOT US | E THIS SPACE |
| 9. Statement and signature to the best of my know true copy of the original | wledge and belief, the foregoing i | information is true and correct and any attached copy is a |
| Jay P. Lessler, Esq. (4 ^o Name of Person Signin | 1,151 Reg. No.) g Signature | July 15, 2002 Date |

Total number of pages including cover sheet, attachments, and document:

Docket No. 1946/1G527-US1

ASSIGNMENT

- I, **David Gschneidner**, a citizen of the U.S., residing at 44 Cerretta Street, Apt. #6, Stamford, Connecticut 06907 USA;
- I, Andrea Leone-Bay, a citizen of the U.S., residing at 20 Woodland Way, Ridgefield, Connecticut 06877 USA;
- I, **Eric Wang**, a citizen of the U.S., residing at 9930 Timberknoll Lane, Ellicott City, Maryland, 21042 USA;
- I, **John J. Freeman, Jr.**, a citizen of the U.S., residing at 6 Topstone Road, Fairfield, Connecticut 06812 USA;
 - I, **Doris O'Toole**, a citizen of the U.S., residing at 33 Lakeview Road, Carmel, New York 10512 U.S.A., and
 - I, Lynn E. Shields, a citizen of the U.S., residing at 85 Birch Street, Port Chester, New York 10573 U.S.A.

(hereinafter called the "ASSIGNORS") have made a certain invention in

COMPOUNDS AND COMPOSITIONS FOR DELIVERING ACTIVE AGENTS

for which an international application designating the U.S. was filed on **December 18, 2000** under **International Application No. PCT/US00/34329**; and

WHEREAS, EMISPHERE TECHNOLOGIES, INC., a corporation organized and existing under and by the laws of New York, having a place of business at 765 Old Saw Mill River Road, Tarrytown, NY 10591 (below called the "Assignee"), is desirous of securing the entire right, title and interest, throughout the world, including priority rights, in and to the said invention, application and Letters Patent, when granted, and in and to any divisions, divisionals, continuations, improvements, reissues or extensions that may be made or granted thereon;

NOW, THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar (\$1.00) to us in hand paid by the said Assignee, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, we, the said Assignors have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over unto the said Assignee, its successors and assigns, all of our right, title and interest, throughout the world, including priority rights, in and to the said invention, application and Letters Patent, when granted, and in and to any divisions,

continuations, improvements, reissues or extensions that may be made or granted on any of them;

TO HAVE AND TO HOLD the same to the full end of the term or terms for which said Letters Patent may be granted, as fully and completely as the same might be held by us had this sale and assignment not been made.

For the consideration aforesaid, we hereby covenant and agree to and with the said Assignees its successors and assigns, that whenever its counsel or representative, or the counsel or representative of its successors or assigns, shall advise that an amendment to, or a division of, or any other proceeding or action in connection with said application or invention, including interference proceedings, is lawful and desirable, or that a reissue or continuation or extension of said Letters Patent is lawful and desirable, we will sign all papers and drawings, take all rightful oaths and affidavits, and do all acts necessary or required to be done for the procurement of valid Letters Patent for said invention, or for the reissue or continuation or extension of the same, will do all acts necessary or required to secure the said Assignee, its successors, and assigns, the title to and full benefit of all rights hereby assigned, without charge to said Assignees or its successors or assigns, but at its or their expense;

AND the Commissioner of Patents and Trademarks is requested to issue the said Letters Patent, when granted, in accordance with this sale and assignment.

We declare under penalty of perjury under the laws of the United States of America that we have signed this document as our/my own free act and that all of the foregoing is true and correct.

| David Gschneidner | DATED: 6/14/02 |
|----------------------------|----------------|
| David Gschriedhei | |
| Andread | DATED: 6-16-02 |
| Andrea Leone-Bay | |
| Eric Wang | DATED: |
| John J. Freenan, Jr. | DATED: 6/17/62 |
| politico. I lecipiali, Ji. | · |

Docket No. 1946/1G527-US1

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- I, **David Gschneidner**, a citizen of the U.S., residing at 44 Cerretta Street, Apt. #6, Stamford, Connecticut 06907 USA;
- I, Andrea Leone-Bay, a citizen of the U.S., residing at 20 Woodland Way, Ridgefield, Connecticut 06877 USA;
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- I, **John J. Freeman, Jr.**, a citizen of the U.S., residing at 6 Topstone Road, New Fairfield, Connecticut 06812 USA;
 - I, **Doris O'Toole**, a citizen of the U.S., residing at 33 Lakeview Road, Carmel, New York 10512 U.S.A., and
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NOW, THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar (\$1.00) to us in hand paid by the said Assignee, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, we, the said Assignors have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over unto the said Assignee, its successors and assigns, all of our right, title and interest, throughout the world, including priority rights, in and to the said invention, application and Letters Patent, when granted, and in and to any divisions,

continuations, improvements, reissues or extensions that may be made or granted on any of them;

TO HAVE AND TO HOLD the same to the full end of the term or terms for which said Letters Patent may be granted, as fully and completely as the same might be held by us had this sale and assignment not been made.

For the consideration aforesaid, we hereby covenant and agree to and with the said Assignees its successors and assigns, that whenever its counsel or representative, or the counsel or representative of its successors or assigns, shall advise that an amendment to, or a division of, or any other proceeding or action in connection with said application or invention, including interference proceedings, is lawful and desirable, or that a reissue or continuation or extension of said Letters Patent is lawful and desirable, we will sign all papers and drawings, take all rightful oaths and affidavits, and do all acts necessary or required to be done for the procurement of valid Letters Patent for said invention, or for the reissue or continuation or extension of the same, will do all acts necessary or required to secure the said Assignee, its successors, and assigns, the title to and full benefit of all rights hereby assigned, without charge to said Assignees or its successors or assigns, but at its or their expense;

AND the Commissioner of Patents and Trademarks is requested to issue the said Letters Patent, when granted, in accordance with this sale and assignment.

We declare under penalty of perjury under the laws of the United States of America that we have signed this document as our/my own free act and that all of the foregoing is true and correct.

| David Gschneidner | DATED: |
|----------------------|----------------|
| Andrea Leone-Bay | DATED: |
| Eric Wang | DATED: 6-24-02 |
| John J. Freeman, Jr. | DATED: |

Docket No. 1946/1G527-US1

<u>ASSIGNMENT</u>

- I, **David Gschneidner**, a citizen of the U.S., residing at 44 Cerretta Street, Apt. #6, Stamford, Connecticut 06907 USA;
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- I, **John J. Freeman, Jr.**, a citizen of the U.S., residing at 6 Topstone Road, New Fairfield, Connecticut 06812 USA;
 - I, **Doris O'Toole**, a citizen of the U.S., residing at 33 Lakeview Road, Carmel, New York 10512 U.S.A., and
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| Doris O'Toole | DATED: June 15, 2002 |
|-----------------|----------------------|
| Lynn E. Shields | DATED: |

Docket No. 1946/1G527-US1

ASSIGNMENT

- I, **David Gschneidner**, a citizen of the U.S., residing at 44 Cerretta Street, Apt. #6, Stamford, Connecticut 06907 USA;
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